

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

**ROBERT GARDNER,**  
*Plaintiff,*

v.

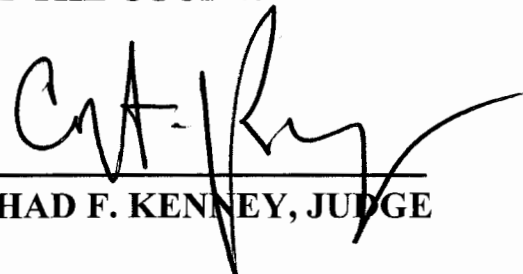
**SEPTA,**  
*Defendant.*

: **CIVIL ACTION**  
:  
:  
: **No. 17-4476**  
:  
:  
:

**ORDER**

AND NOW, this <sup>17<sup>TH</sup></sup> day of **October 2019**, upon an independent review of the record and upon consideration of Defendant's Motion for Summary Judgment and Memorandum of Law (ECF No. 40), Plaintiff's Memorandum of Law in Opposition to the Motion (ECF No. 43), Defendant's Reply Memorandum of Law in Further Support of its Motion (ECF No. 44), and Plaintiff's Sur-reply in Further Opposition to the Motion (ECF No. 45), in conjunction with the Court's accompanying Opinion, it is hereby **ORDERED** that Defendant's Motion for Summary Judgment (ECF No. 40) is **GRANTED**. Accordingly, Plaintiff's Complaint is **DISMISSED**. The Clerk of Court is directed to **CLOSE** this matter.

**BY THE COURT:**

  
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**CHAD F. KENNEY, JUDGE**